

REMARKS

Claims 19-23, 30 and 31 remain pending. Claim 22 is currently amended. No claims are canceled or added.

Claims 19, 23, 30, and 31 stand rejected under 35 U.S.C. § 102(e) as anticipated by *Zhao et al.* (U.S. Patent No. 6,210,485). Applicants respectfully traverse this rejection.

Both independent claims 19 and 31 describe a vaporizer that has an “orifice member,” and each claim specifies that the orifice member “is provided at an end portion of said internal conduit.” Claims 23 and 30 depend from claim 19, so they also describe this subject matter.

To anticipate the orifice member of the claims, the rejection relies on the *Zhao et al.* disclosure in Fig. 4 of an unnumbered element, which has recess 137. To anticipate the “internal conduit” of the claims, the rejection relies on nozzle 144. Thus, for the rejection to be valid, the unnumbered element with recess 137 (i.e., the “orifice member”) must be provided at an end portion of nozzle 144 (the “internal conduit”).

However, as shown clearly in Fig. 4, the unnumbered element of *Zhao et al.* is *not* provided at the end portion of nozzle 144. Instead, the end portion is located away from the unnumbered element.

Thus, the rejection of claims 19, 23, 30, and 31 should be withdrawn for at least this reason alone.

Nonetheless, applicants provide another reason to withdraw rejection:

Again with respect to the orifice member, both independent claims 19 and 31 specify that “the gas for atomization … is spouted into said vaporization section through said gap.” Claims 23 and 30 depend from claim 19, so they also describe this subject matter. The rejection is based on the understanding that the *Zhao et al.* unnumbered element, which has recess 137, forms a

gap through which atomization gas is spouted. (See the Office Action, page 2, bottom paragraph.) However, *Zhao et al.* only discloses:

At the level of the nozzle 144, the dispersion/carrier gas *picks up* the liquid precursor mixture jetting out of the injection member 114 and *carries* the mixture down into the main vaporizing section 146 where the liquid precursor is vaporized.

(Column 7, lines 11-15 [*emphasis added*]). *Zhao et al.* does not disclose that the gas for atomization *is spouted into the vaporization section through the gap*, which is kept between the orifice member and the internal conduit, as recited in the claims. *Zhao et al.* discloses instead that the main vaporizing section 146 is located far below the gap between the unnumbered element and the nozzle 144. (See Fig. 4.) (Reference is also made to page 54, line 22, to page 55, line 11, of applicants' specification, which discloses a significantly different configuration from that disclosed in *Zhao et al.*)

For at least the reasons provided herein, applicants request the withdrawal of the anticipation rejection of claims 19, 23, 30, and 31.

Even if it is ultimately decided that the reasons provided above do not justify the withdrawal of the rejection of claims 19, 23, 30, and 31, applicants now provide an additional reason to withdraw the rejection of claims 23 and 31: These claims specify that applicants' vaporizer has:

a gasket type seal coupling which comprises a *metal gasket* and a *pair of coupling members* which are provided so as to sandwich said metal gasket between them [*emphasis added*].

Thus, to justify the rejection, three *separate* elements would need to be identified in the prior art, one element that anticipates a "metal gasket," another element that anticipates a "coupling member," and a third element that anticipates a second "coupling member." However, the Office Action does not provide such identification.

The Office Action repeatedly refers to “applicant’s claimed metal gasket means,” but the claims do not recite a “metal gasket *means*.” Perhaps, the intention was to state “metal gasket” (without “means”). To anticipate this element, the rejection relies on the threads of sleeve 138.

However, if the rejection relies on these threads to anticipate the “metal gasket,” *Zhao et al.* would need to teach a *pair* of coupling members which are provided so as to sandwich the threads between them as claimed, and the Office Action identifies no such coupling members. Thus, the rejection has not been justified.

Applicants acknowledge that an unlabeled element protruding from the center of cooling head 104 contacts the threads of sleeve 138. One could speculate that the rejection relies on this unlabeled element to anticipate one of the “coupling members.” Nonetheless, an Office Action would still need to identify the *other* “coupling member” to justify the rejection. Due to the absence of such identification, the rejection has not been justified.

Applicants also respectfully submit that the claim term “gasket” has not been properly interpreted with respect to the rejection. Applicants enclose copies of three on-line technical dictionary definitions of “gasket.” According to two of the dictionaries, a gasket is placed between two surfaces. Applying those definitions, the *Zhao et al.* second coupling member would be injection member 114, the *only* element with a surface contacting the solid body (sleeve 138) having the threads relied upon to anticipate the gasket. The third dictionary indicates that a gasket may be soft metal placed between two metal parts. (The Office Action does not indicate the material of injection member 114, but perhaps it is assumed that it is metal.)

Applicants submit that, to anticipate the second coupling member, a rejection cannot properly rely on any portion of sleeve 138 itself. This portion has no second surface contacting the threads. Nonetheless, even though not stated explicitly, it might be thought that one of the

Zhao et al. coupling members is the part of the sleeve 138 that is not the threads. In other words, it might be thought that the “metal gasket” and one of the “coupling members” are both anticipated by the same single solid element. Such interpretation is inconsistent with two of the cited dictionary definitions, which define “gasket” as a sealing material *between two surfaces*, and this interpretation is also inconsistent with the third definition, because the threads would need to be of a softer material than the material of the remaining portion of sleeve 138. The Office Action does not identify any statement in *Zhao et al.* that sleeve 138 is constructed in this fashion.

A rejection cannot rightfully rely on injection member 114 either to teach the second “coupling member” recited in the claims. One reason is that this element (referred to by referencing nozzle 144 at its lower end) is already relied upon to teach the “internal conduit” recited elsewhere in the claim, so a rejection cannot inconsistently rely on this element again to teach a separate element. Claims 23 and 31 also specify that one of the coupling members is fixed to the atomization section while the other is fixed to the internal conduit, so the rejection would be relying on injection member 114 as both a coupling member *and* a coupled member.

Accordingly, the rejection of claims 23 and 31 has not been justified for the additional reason that the Office Action does not identify a teaching in *Zhao et al.* of a gasket type seal coupling as specifically described in the claims.

Applicants appreciate the indication that claims 20 and 21 would be allowable if claim 20 were rewritten in independent form. However, claim 20 depends from claim 19, which should also be allowable as explained above. Thus, it is not necessary to rewrite claim 20 to gain the allowance of claims 20 and 21.

Claims 22 stands objected to under 37 C.F.R. § 1.75 as being the same as claim 20. As shown above, though, claim 22 is now amended, so it is now clearly not the same as claim 20. Accordingly, withdrawal of the objection is now solicited.

In view of the remarks above, applicants now submit that the application is in condition for allowance. Accordingly, a Notice of Allowability is hereby requested. If for any reason it is believed that this application is not now in condition for allowance, the Examiner is welcome to contact applicants' undersigned attorney at the telephone number indicated below to discuss resolution of the remaining issues.

If this paper is not timely filed, applicants petition for an extension of time. The fee for the extension, and any other fees that may be due, may be debited from Deposit Account No. 50-2866.

Respectfully submitted,

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Enclosure: Dictionary definitions

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Common words and phrases used in the appliance parts and service industry for appliance parts, components and service items

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• **FROST-FREE REFRIGERATOR**

A type of appliance that automatically defrosts by means of a timing device.

(Added: 12-Sep-1999 Rating: 0 Votes: 0)

• **FSP®**

An abbreviation for Factory Specification Parts. Used by Whirlpool to differentiate genuine factory replacement parts from those of after market or universal replacement parts.

(Added: 18-Sep-1999 Rating: 10.00 Votes: 1)

• **FUSE**

A safety device that protects an electric circuit from excessive current. It consists of or contains a metal filament that melts when current exceeds a specific amperage, thereby opening the circuit.

(Added: 12-Sep-1999 Rating: 0 Votes: 0)

• **GASKET**

A resilient or flexible material used between mating surfaces to provide a leak-proof seal. May also be called a SEAL.

(Added: 12-Sep-1999 Rating: 0 Votes: 0)

• **GYRATE**

To revolve around a fixed point or axis.

(Added: 12-Sep-1999 Rating: 0 Votes: 0)

• **GYRATOR**

See Agitator.

(Added: 12-Sep-1999 Rating: 0 Votes: 0)

• **HEAT**

A form of energy, the addition of which causes substances to increase in temperature.

(Added: 12-Sep-1999 Rating: 0 Votes: 0)

• **IDLER PULLEY**

A free wheeling (unpowered) pulley used to put tension on the belt of a dryer or washing machine.

(Added: 12-Sep-1999 Rating: 0 Votes: 0)

• **IGNITOR** - A solid state semiconductor, usually made of Carborundum, that produces heat when a current is applied. Typically used to ignite natural gas or



DICTIONARY OF AUTOMOTIVE TERMS

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | | | | |
|----|----|----|----|----|----|----|
| Ga | Ge | Gi | Gi | Go | Gr | Gu |
|----|----|----|----|----|----|----|

g:

A unit of measurement for lateral acceleration, or "road-holding." One "g" is equivalent to 981 cm (32.2 feet) per second every second, the rate at which any object accelerates when dropped at sea level. If a car were cornering at 1.0 g -- a figure that very few production cars are able to approach -- the driver's body would be pushing equally hard against the side of the seat as against the bottom of it. Most fast sedans accelerate about 0.8 g.

G7:

Seven industrial countries consisting of the United States, Japan, Germany, France, the United Kingdom, Italy and Canada, whose leaders have met at annual economic summits since 1975 to coordinate economic policies.

gage:

[1] A standard SAE designation of wire sizes, expressed in AWG (American Wire Gage). The larger the gage number, the smaller the wire. Metric wire sizes are expressed in cross-sectional area, which is expressed in square millimeters. Sometimes the spelling "gauge" is also used to designate wire size. However, it is becoming standard to use "gage" for wire size and "gauge" for instruments. Americans often use "gage" for instruments.

| Also see |
|-----------------------------------|
| adjusting gage |
| compression gage |
| dial gage |
| feeler gage |
| fuel gage |
| gas gage |
| oil gage |
| oil pressure gage |
| plain gage tubing |
| temperature gage |
| tire gage |

gasket:

A material made of asbestos, cardboard, cork, paper, rubber, or soft metal placed between two metal parts to insure proper sealing.

| Also see |
|-----------------------------|
| <u>base gasket</u> |
| <u>blown head gasket</u> |
| <u>cylinder head gasket</u> |
| <u>head gasket</u> |
| <u>liquid gasket</u> |
| <u>oil pan gasket</u> |
| <u>rocker cover gasket</u> |
| <u>sump gasket</u> |
| <u>tappet gasket</u> |
| <u>valve cover gasket</u> |

gasket, foam:

Joint sealing material made of rubber or plastic foam strips.

gasket kit:

| also See |
|------------------------------|
| <u>bottom end gasket kit</u> |
| <u>top end gasket kit</u> |

gasket punch:

A tool used to cut out holes in a sheet of gasket material to shape a gasket to size.

gasket scraper:

A scraper with a sharp chisel edge for removing old gasket material from a surface before installing a new gasket

gas metal-arc welding:

Welding using a continuously fed consumable electrode and a shielding gas. Also called "sigma welding."

gas, noncondensable:

Gas which will not form into a liquid under the operating pressure-temperature conditions.

gasohol:

A blend of gasoline and ethanol alcohol that usually is 90% gasoline and 10% ethanol. Ethanol is the alcohol found in intoxicating beverages. It may attack rubber and plastic parts of fuel systems not designed to handle alcohol-blended fuels, but it is not poisonous to human beings like wood alcohol or methanol.

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Galvanic series

- A list of metals with those on the top of the list being attacked by those lower down in the list. The farther apart on the list, the faster the attack.

Gasket

- Used between two static surfaces to provide a seal. Made from a variety of deformable materials.

Gland

- The part that holds one half of the mechanical seal and attaches to the stuffing box.

Grease seal

- A spring loaded elastomer seal commonly used to seal bearings. Sometimes called a "lip seal". Not a good choice for sealing the bearing casing of a pump. A labyrinth or face seal would be a better choice.

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